

REMARKS

Claims 31-38 are currently pending. Claims 31 and 32 have been amended. Claims 37 and 38 are new dependent claims. The Applicant has amended the Specification and Claims to place the application into final form for allowance or alternatively, better form for appeal. Entry of the amendments by the Examiner is respectfully requested.

Support for amended claims 31 and 32 as well as new claims 37 and 38 can be found at, for example, paragraph [0021] and paragraph [0077] of the originally filed specification.

Claims 31-36 stand rejected under 35 U.S.C. §112, first paragraph as not being enabled. The rejection acknowledges that the Specification is enabled for a LAP polypeptide comprising SEQ ID NO: 1 or 2 or a LAP polypeptide comprising a fragment thereof, but the rejection states the Specification “does not reasonably provide enablement for polypeptides comprising a LAP amino acid sequence or fragment therefore wherein the polypeptide binds a target comprising an EP motif.” The rejection also states that claims 31 and 32 “include[] other polypeptide sequences without limitation” and implies that the claims need to be limited to be enabled.

The Applicant has amended claims 31 and 32 to provide reasonable limitations on other polypeptide sequences. Amended claim 31 recites the “polypeptide compris[es] the amino acid sequence of LAP identified by SEQ ID NO: 1, or a fragment thereof that is at least 50% identical to the amino acid sequence of SEQ ID NO: 1, wherein the LAP identified by SEQ ID NO: 1 or the fragment thereof binds the EP motif.” New claim 37 is dependent on claim 31 and further recites that “the fragment is 100% identical to a portion of the amino acid sequence of SEQ ID NO: 1.” Amended claim 32 recites the “polypeptide compris[es] the carboxy-terminal amino acid sequence of LAP identified by SEQ ID NO: 2, or a fragment thereof that is at least 50% identical to the amino acid sequence of SEQ ID NO: 2, wherein the LAP identified by SEQ ID NO: 2 or the fragment thereof binds the EP motif. New claim 38 is dependent on claim 32 and further recites that “the fragment is 100% identical to a portion of the amino acid sequence of SEQ ID NO: 2.” Applicants wish to clarify that the fragments claimed in new claims 37 and 38 are simply pieces of SEQ ID NO: 1 or SEQ ID NO: 2 that are 100% identical to either of these sequences. Lastly, amended claims 1 and 2 clarify that LAP or LAP fragment portion of the claimed polypeptides bind the EP motif.

These reasonable limitations provide ample guidance to those skilled in the art such that they are enabled to practice the claimed subject matter without “undue” experimentation.

Although the Applicant fully acknowledges that a limited degree of experimentation would be necessary to determine the amino acid sequences having a capacity to bind EP motifs and that share at least 50% sequence identify or integer percentage thereof, such experimentation would not be "undue." Even a large amount of experimentation is permitted in the highly skilled art in which the claimed subject matter resides so long as it is not "undue." The Applicant respectfully submits that the amount of experimentation in that regard would be quite limited and not "undue." In particular, deletional and mutational analyses to identify polypeptide fragments having a specific biological activity, such as EP motif binding, are well known and routine within the art. Thus, the claimed fragments can be readily identified by these well known techniques by one of ordinary skill in the art without undue experimentation. Withdrawal of the rejection is respectfully requested.

In light of the forgoing, the Applicant respectfully submits that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,


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